



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 39
Comm Number: 53094-7617-09-A
BRRTS Number: 03-28-000593
Site Name: Midas Muffler Shop
Site Address: 103 N Church St Watertown WI

Project Manager: Jim Kralick
Project Manager address: 2514 Morse St Janesville WI 53545
Project Manager phone: 608-743-4841
Project Manager e-mail address james.kralick@dnr.state.wi.us

Bid Announcement Date	9/6/2005
Questions or requests for information must be submitted in writing and received by:	9/19/2005 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	10/7/2005
Bid End Date and Time:	10/21/2005 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 2514 Morse St, Janesville WI

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

Action Legal-Madison, 1 E Main St, Madison WI 53703

Phone: 608-663-1041

Fax: 608-663-1045

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

The site is a former retail petroleum outlet that operated between approximately 1930 and 1986. At least seven USTs are believed to have been previously located at the site. A site investigation was begun in 1990. The stratigraphy across the investigated area consists of approximately 2 to 6 feet of clayey, silty, sandy, gravelly fill, underlain by silty sandy sediments, with intermittent clayey and gravelly intervals, to approximately 30 feet below ground surface (bgs). Dolomite bedrock is present beginning at approximately 30 feet bgs. Cobbles and boulders may be present in the transitional zone 1 to 3 feet above the dolomite bedrock. Sandstone bedrock was encountered at approximately 50 feet bgs, the maximum depth explored. Although some soil sampling was conducted between 1990 and 1994, an updated evaluation of subsurface soil conditions is required at this time. The static water table is generally present beneath the site at between 10 and 25 feet bgs. The core of the known groundwater contaminant plume is located in the area of wells MW1, RW1, EW1, EW2, EW3, SVE3 and VMP1. Wells MW1, RW1, EW1, VMP1, SVE2 and SVE4 all have had free product occurrences in the past. The extent of dissolved-phase petroleum groundwater contamination has not yet been defined to the north and west of the known source areas. Groundwater flow is generally toward the north/northwest on site.

Please note that claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☒ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☒ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

1. Conduct an 11-boring hydraulic push probe investigation. The borings shall be installed at the following locations: 1) within the middle of the southern former pump island, approximately half way between wells SVE1 and SVE2, 2) within the former UST bed, approximately 5 feet south of well RW1, 3) in the southwestern-most corner of the property within the right-of-way/public boulevard adjacent to the intersection of West Main and North Church

Streets, 4) within 5 feet west of well MW1, 5) within 10 feet west of EW2, 6) within 5 feet northwest of VMP1, 7) within 5 feet north of MW4 on the western side of the former UST bed, 8) 15 feet due south of well SVE3 on the northern side of the former UST bed, 9) within the middle of the northern former pump island, approximately 15 feet southeast of RW2, 10) within the eastern right-of-way/public boulevard adjacent to North Church Street, approximately 15 feet northwest of well EW3, and 11) within the eastern right-of-way/public boulevard adjacent to North Church Street, approximately 35 feet northwest of well EW4. These locations are approximate and subject to utility clearance. All borings should be installed to the soil/bedrock interface (approximately 30 feet bgs). Continuous soil samples shall be collected at 2-foot intervals and field screened. Two analytical soil samples consisting of PVOCs + naphthalene shall be collected from each boring: one in the interval of the highest field screening results and one directly above the soil/bedrock interface. Costs for obtaining right-of-way access and/or city permits and disposal of contaminated soil cuttings must be included in the bid.

2. Two 2-inch diameter monitoring wells and one piezometer shall be installed to further define the extent of groundwater contamination. One monitoring well will be installed along the northern property boundary, approximately 35 feet due north of well SVE3. The other monitoring well and the piezometer shall be installed within the eastern North Church Street right-of-way/boulevard, approximately 100 feet north of well EW3. The two water table monitoring wells should be installed to a depth of 31 feet bgs, with 10-foot screened intervals. The piezometer should be installed to 45 feet bgs, with a 5-foot screened interval. Bidders should assume air rotary drilling will be required for all three well installations. The newly installed wells shall be surveyed to the national geodetic survey datum, per the requirements of s. NR141.065(2). The wells shall be installed within 60 days of this work scope being awarded to the lowest bidder. The construction documentation for the three new wells must be included with the final report. Costs for obtaining right-of-way access and/or city permits and disposal of contaminated drill cuttings must be included in the bid.
3. Conduct quarterly free product monitoring and recovery as needed. All site investigation wells, regardless of whether or not they will be analytically sampled, should be checked for the presence of free product during each sampling event. Free product recovery can be accomplished by passive actions such as hand bailing, pumping, or the placement of absorbent socks. Measure water levels and free product thickness (using a product/water interface probe) in all wells where free product is present, prior to and immediately following recovery efforts. A table documenting free product thickness in wells and recovery efforts (volume recovered) shall be submitted to the WDNR and Commerce in the final report. Bidders must include on page three of their bid response, a per gallon unit disposal cost (commodity cost only) to be used to adjust the cap in the event that a volume significantly more or less than is estimated is actually removed and disposed.
4. Groundwater monitoring shall be conducted for two consecutive quarters and shall follow the protocol of the following table:

Wells	Sample Quarterly	Sample Semi-annually
MW1, MW4, P1, EW2, EW3, EW4, two newly installed MWs, newly installed piezometer	PVOCs or VOCs [#] and PAHs*	
MW3, EW5, RW-1, SVE3, SVE4, SVE5, VMP1		PVOCs and PAHs*

*PAHs should be sampled for the first round only, unless there are enforcement standard exceedences that require additional PAH sampling.

#VOCs should be sampled for the first round only in the newly installed wells and piezometer, unless there are enforcement standard exceedences that require additional VOC sampling.

Groundwater samples shall be collected from all of the designated monitoring wells unless free product is present. Groundwater elevations and checking for the presence of free product shall be completed at all site wells, including those not being analytically sampled.

All contaminated material generated at this site as part of the bid scope of work must be properly stored and disposed/treated in accordance with State regulations.

5. A final report shall be submitted to include tabulated results for all historical groundwater analytical results collected during the entire site investigation and all historical groundwater and free product elevation/removal data. Groundwater flow direction shall also be calculated and presented on site plans for each groundwater sampling event. Site plans depicting the extent of residual soil and groundwater contamination shall also be submitted. The final report shall be submitted to WDNR and Commerce within 30 calendar days of receiving the laboratory analytical data for that reporting period.

Bidders shall provide line item costs for all the activities listed above in the table provided on the 3rd Page of the Bid Response. If a completed 3rd page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope of work items without prior Commerce approval.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil

- Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access,

this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Midas Muffler Shop
COMMERCE NUMBER: 53094-7617-09
BRRTS NUMBER: 03-28-000593

Submit Bid To: Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone: () - _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____ Professional Engineer	_____ License #
_____ Professional Geologist	_____ License #
_____ Hydrologist	_____ License #
_____ Soil Scientist	_____ License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME:	Midas Muffler Shop
COMMERCE NUMBER:	53094-7617-09
BRRTS NUMBER:	03-28-000593

Consulting Firm phone number () ____-____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be ***stapled*** together. No paper clips or spiral bindings please.

BID RESPONSE**(3rd Page)**

Department of Commerce PECFA Program

SITE NAME: Midas Muffler Shop
COMMERCE NUMBER: 53094-7617-09
BRRTS NUMBER: 03-28-000593

Consulting Firm phone number () ____-____

A bid will be considered to be non-responsive if the bid response does not include separate tabulation of costs as indicated below.

Install 11 hydraulic push probes, conduct soil field screening and analytical sampling (includes but not limited to access agreements, permits, boring abandonment, documentation, and waste disposal). \$ _____

Install two monitoring wells and one piezometer (includes but not limited to access agreements, permits, surveying, documentation, and waste disposal). \$ _____

Conduct free product measurement and abatement as needed (includes needed supplies and waste disposal). \$ _____

Conduct quarterly groundwater monitoring for two successive quarters (includes all analytical costs, documentation, and waste disposal). \$ _____

Prepare a final report documenting completion of the bid work scope (including, but not limited to all documentation of all analytical results, flow direction diagrams, extent of contamination diagrams, and free product measurement/recovery data) \$ _____

Total Bid Amount (sum) -> also include on Page 1 of bid response \$ _____

Contingency cost for free product/contaminated groundwater disposal (commodity cost only) (\$/gallon) \$ _____